



Entered on Docket
August 13, 2010

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

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Wells Fargo Bank, N.A.
10-72046 / 8020767003

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEVADA**

In Re:

Shane A. Duncan and Shawn K. Duncan

Debtors.

05-17309-bam

Motion no.
Date:
Time:

Chapter 13

ORDER VACATING AUTOMATIC STAY

Pursuant to the Declaration re Breach of Condition filed on July 12, 2010 and Debtors failure to cure the default prior to its expiration, and good cause appearing.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceeding is immediately vacated and extinguished for all purposes as to Secured Creditor, Wells Fargo Bank, N.A. its assignees and/or successors in interest, and Secured Creditor may proceed with a foreclosure of and hold a Trustee's Sale of the subject property, generally described as 2050 South Idaho Street, Pahrump NV and legally described as follows:

LOT EIGHTY-NINE (89) IN BLOCK SIX(6) OF CALVADA VALLEY UNIT NO. 4B, AS SHOWN BY MAP THEREOF RECORDED JULY 5, 1972 AS DOCUMENT NO. 33044, IN THE OFFICE OF THE COUNTY RECORDER OF NYE COUNTY, EXCEPTING THEREFROM ALL OF ITS RIGHT, TITLE AND INTEREST.

pursuant to applicable State Laws, and thereafter commence any action necessary to obtain complete possession of the subject property.


IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give Debtors at least seven business days' notice of the time, place and date of sale.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

Submitted by:

Wilde & Associates

By


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